

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GIBSON BRANDS, INC., a Delaware)
corporation,)
Plaintiff/Counterclaim-Defendant,) Case No. 4:19-cv-00358-ALM
vs.)
ARMADILLO DISTRIBUTION)
ENTERPRISES, INC.; CONCORDIA)
INVESTMENT PARTNERS, LLC,)
Defendant/Counterclaim-Plaintiff)
DOES 1 through 10,)
Defendants.)

PROPOSED ORDER GRANTING PLAINTIFF'S MOTION FOR CIVIL CONTEMPT

Having considered Plaintiff Gibson Brands, Inc.'s motion (and support) for civil contempt, the court **ORDERS** that Gibson Brands, Inc.'s motion for civil contempt is **GRANTED**.

The court **FINDS** that the evidence of record clearly and convincingly shows that the Defendant Armadillo Distribution Enterprises, Inc. has completely disregarded and wholly failed to comply with the Permanent Injunction found in the Final Judgment of July 28, 2022, *e.g.*, Defendant's continued advertisement, marketing and sale of Dean V and Dean Z guitars.

Based on the forgoing facts, this Court **FINDS** Armadillo Distribution Enterprises, Inc., in contempt of court for its violation of this court's Permanent Injunction order entered July 28, 2022.

This Court further **FINDS** that Plaintiff has sustained monetary losses and incurred costs and expenses, including attorney's fees, as a result of Armadillo's contempt of court.

This Court **ORDERS** that Armadillo Distribution Enterprises, Inc. shall pay a fine in the amount of \$2,000 a day until Armadillo Distribution Enterprises, Inc. complies completely with the

Permanent Injunction in the Final Order of July 28, 2022.

This Court further **ORDERS** that if the contempt is not remedied by the 10th day following this order, that an administrator be chosen by Gibson and said administrator have access to the Dean Guitars website and remove any and all references to the Dean V and Dean Z.

This court further **ORDERS** that Armadillo Distribution Enterprises, Inc. shall, by 5:00 p.m. on the ____ day of August, 2022, also pay by certified funds to Plaintiff Gibson Brands, Inc. (c/o counsel of record for plaintiff) an award of Plaintiff's attorney's fees the sum of dollars (\$_____) (USD) to compensate Plaintiff for the legal fees and expenses it sustained as a result of Armadillo's contempt of court.

SO ORDERED.